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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,081	03/03/2000	Leland Shapiro	114232.104	5429

27160 7590 11/05/2004
PATENT ADMINSTRATOR
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EXAMINER

KERR, KATHLEEN M

ART UNIT	PAPER NUMBER
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1652

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

11012004

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Commissioner for Patents

The amendment filed on September 7, 2004 is considered non-compliant because it has failed to meet the requirements of 37 C.F.R. ' 1.121, as amended on June 30, 2003 (see 68 Fed Reg. 38611, June 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 C.F.R. ' 1.121(h).

The amendments to the claims are non-compliant for the following reasons:

- a) Amended claim(s) do not include proper markings (strikethrough/brackets for withdrawn text and underlining for inserted text).
- b) Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Only the following seven status identifiers are permitted: "original", "currently amended", "canceled", "new", "withdrawn", "previously presented", and "not entered".

***Specifically, the Examiner is attaching a complete set of the currently pending claims. Applicant must file the amended claims with respect to said complete set, i.e., marking to show changes and/or identify the claims as currently amended, previously pending, etc. with respect to the attached set of claims, because these are the pending claims of record. None of the claim sets filed as follows: January 23, 2004, March 15, 2004, July 28, 2004, and September 7, 2004 have been entered due to improper form. Omission of amendments made, improper identifiers, etc. cannot be permitted in response.

Attached:

---As filed on January 29, 2003 = Claims 1, 3, 4, 8, 9, 12, 14, 16, 18, 19, 23, 24, 25, 29, and 30

---As filed on May 14, 2002 = Claim 6

---As originally filed on March 3, 2000 = Claims 2, 5, 7, 10, 13, 15, 17, and 20.

Thus, the specific defects as filed on September 7, 2004:

*Claim 1 is amended with respect to Claim 1 filed on January 29, 2003; marking required.

*Claim 3 is amended with respect to Claim 3 filed on January 29, 2003; marking required.

*Claim 9 is amended with respect to Claim 9 filed on January 29, 2003; marking required. And Claim 9 should be listed as ---Withdraw, Currently Amended---

*Claim 14 is amended with respect to Claim 14 filed on January 29, 2003; marking required (include original text in brackets).

All other claims filed on September 7, 2004 are correctly identified and listed.

Since the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 C.F.R. ' 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 C.F.R. ' 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 C.F.R. ' 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen M Kerr whose telephone number is (571) 272-0931. The examiner can normally be reached on Monday through Friday, from 9:00am to 6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathupura Achutamurthy can be reached on (571) 272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Kathleen M Kerr
Primary Examiner
Art Unit: 1652